

ACTING DIRECTOR'S REPORT

Since its establishment in 1988, the Hong Kong Christian Institute (HKCI) has been raising an alternative voice as Christian witness for social concern. Last year, HKCI took part in strengthening the civil society and standing in solidarity with the discriminated and marginalized people. I would like to report on the situation of Hong Kong and HKCI's ministry in that context.

1. Major Issues

1.1 The Road to Universal Suffrage

The Hong Kong Special Administrative Region government (the Government) published the “Green Paper on Constitutional Development” on 11 July 2007 to consult the public on the issue of universal suffrage for the Chief Executive and the Legislative Council for three months. During the public consultation, the Government received about 18,200 written submissions and more than 150,000 signatures. It then published the “Report on the Public Consultation on Green Paper on Constitutional Development” on 12 December 2007. Donald Tsang, the Chief Executive, submitted it to the Standing Committee of the National People's Congress (NPCSC) on the same day. While 69% of the people surveyed supported the implementation of universal suffrage in 2012 as stated in the report, the NPCSC adopted a decision on 29 December 2007 that the Chief Executive may be elected by universal suffrage in 2017, and that the Legislative Council may be elected by the same method later.

1.2 Political Appointment without Accountability

To further enhance the political accountability of the senior government officials, the Chief Executive appointed the first batch of eight under

secretaries (deputy directors of bureaux) and nine political assistants on 20 and 22 May.

Soon after the announcement of the appointment, a local paper disclosed that five out of the eight under secretaries were holding passports or right of abode in foreign countries. LegCo members from pro-democracy camp queried that they might have contravened Article 61 of the Basic Law which states that “the principal officials shall be Chinese citizens who are permanent residents of the Region with no right of abode in any foreign country and have ordinarily resided in Hong Kong for a continuous period of not less than 15 years.” In view of the case that under secretaries will deputize for directors of bureaux during the latter’s absence, the spirit of Article 61 should be applied to the under secretaries. However, Stephen Lam, the Secretary for Constitutional and Mainland Affairs, replied to LegCo member Martin Lee on 4 June that “they are not subject to the requirement of having no right of abode in any foreign country, as in the case of Principal Officials.”

Following the announcement, there were demands for the government to disclose the salaries of each political appointees. Initially the government was reluctant to provide detailed information on their remuneration package. But after oral questions by LegCo members were raised and in view of sustained public interest, the appointed under secretaries and political assistants decided to disclose their personal remuneration.

To much surprise, the monthly salary for the youngest appointee Paul Chan Chi-yuen, aged 28, political assistant to the secretary for food and health, is HK\$134,150 which is four times his previous income. The most experienced appointee, Tam Chi-yuen, under secretary for constitutional and mainland affairs, does not receive the highest pay as Gregory So. Criticisms arise over how the pay levels of the appointees are commensurate with their experiences and expertise. Even though all the appointees denied that they took up the job because of the salary, doubt has been cast upon their response.

The nationality and remuneration row over new accountability system illustrates the political insensitivity of an arrogant administration. While the public was concerned about the issue of right of abode in foreign countries and the pay level, the government appealed to personal data or privacy as excuse, suggesting that it was a private corporation's "business secret." The government's excuse only fuels the flame of discontent among the public, which motivates further actions to challenge the accountability system.

The credibility and transparency issues were hardly explained away. It is the political expectation rather than the legal or constitutional requirement that matters. The political appointment saga has damaged Donald Tsang's popularity, which has dropped to a record low 51% since his election to Chief Executive.

1.3 Leung Chin Man Saga

Leung Chin Man began work as executive director and vice-chairman of New World China in August with government approval. The approval triggered heavy criticism as Leung, who retired in January 2007, had been implicated in two scandals that raised questions of government favouritism towards top property developers, one of which involved New World.

1.4 Race Discrimination Legislation

The Race Discrimination Bill (RDB) was passed by the LegCo on July 10. During the legislation process, the Bill was criticized as having too many clauses of exceptions, particularly those on the binding on the government and those infringing the equal opportunity principle for ethnic minorities as to public services. Clause 58, which provides for the general exemption for the use of (or failure to use) any language, was not passed; so, there should be interpretation or translation service for the ethnic minorities. However, the Race Discrimination Ordinance (RDO) is inconsistent with the equal opportunity principle and affords less

protection from discrimination than the existing equal opportunities laws (namely the Sex Discrimination Ordinance, the Disability Discrimination Ordinance and the Family Status Discrimination Ordinance) which have been in force for more than ten years. The definition of race in RDO is strict and the exemption for distinctions on the basis of nationality and citizenship (Clause 8) would allow unjustifiable discrimination to the effect that potential discriminators could avoid liability by posting notices such as: “No person with Pakistani citizenship may enter this restaurant”, “Goods only sold to legal residents”, “Post only open for persons who have been Hong Kong residents for seven years”. Such notices can deprive ethnic minorities, asylum seekers, and new immigrants of humanitarian assistance and equal opportunities.

The legislation may fulfill the requirement of the International Convention for the Elimination of All Forms of Racial Discrimination (CERD) but concern is raised over how the code of practice issued by Equal Opportunities Commission may consistently realize the limited protections to the ethnic minorities.

1.5 Police Power

Complaints against police’s abuse of power have been raised over the years. When “A Group of Citizens Who Concern about the Democratization of Town Planning” protested against the redevelopment of Lee Tung Street (H15 project) on October 5 last year, 15 of them were arrested and refused bail. They were unjustifiably detained by the police. Strip searches involving removal of clothing worn next to the skin were conducted. And a female detainee witnessed a male police officer passing by during the search. Many of the non-governmental organizations (NGOs) have complained about the policy aspects of the police’s power in conducting searches on detainees.

Besides the strip searches on the protestors, the police has been criticized for their abuse of power upon sex workers and ethnic minorities. Ziteng, a concerned group for sex workers, received 364 complaints

from sex workers against police on free sex service during police action, humiliation and blackmail and false persecutions in 2006, but there were 826 complaints from January to November 2007. There are loopholes of the complaint mechanism that sex workers' cases are not properly handled even though they are encouraged to file cases against police at the Complaints Against Police Office (CAPO), and they are not reported the progress in due course. Most of the complainants worry about retaliation from the police.

Cases of police abuse upon ethnic minorities have been pointed out by Unison Hong Kong, a concerned group for ethnic minorities. A conflict arose as a Pakistani youth was verbally insulted by a police officer. The youth was arrested and physically assaulted in a police station. He was told that he would not be on bail if he asked for medical examination. He was released after 48 hours of custody. According to Unison, ethnic minorities are always refused the right to undergo medical examination during custody.

Marginalized groups such as sex workers and ethnic minorities are always the targets of police abuse of power which should not happen in a civilized society. It shows that we lack sufficient measures and an effective mechanism to prevent police abuse of power.

There have been concerns over the independence of the complaint mechanism of handling police complaints. The Complaints Against Police Office (CAPO) which is under the Hong Kong Police and the Independent Police Complaints Council (IPCC), does not have statutory authority to investigate cases. In July 2008, the Independent Police Complaints Council Bill was passed and IPCC was invested with statutory authority. However, LegCo Councillor James To Kun-sun criticized that the ordinance fails to give the IPCC investigative powers. It denies the watchdog full access to information on circumstances surrounding a complaint, and limits its power to publicize any police refusal to heed the council's advice. The council members are still to be appointed by the Chief Executive. So, IPCC will still remain powerless.

1.6 Health Care Reform Consultation

A consultation document on health care reform and financing, titled “Your Health Your Life”, was launched in March 2008. Under the “big market, small government” philosophy of economy and the privatization of public services, the document focuses on health care financing rather than a comprehensive and holistic health care service.

The document attributes the health care problems to aging and individual lifestyles which inevitably trigger a labeling effect rendering the elderly as social burden. The document suggests that to sustain the current public health care services, tax rates will be increased and funding for other public services will be reduced. Tax increase and budget cuts for public services have been highlighted to arouse fear among the public (the same strategy had been used in the right of abode saga with the notorious figure of 1.67 million potential immigrants from the mainland) which will result in social divisions. The elderly and the middle-aged (who will become the elderly in the future) have become the scapegoat in the health care issue.

The document does not address the social and economic factors leading to unhealthy lifestyles. It is the government’s responsibility to encourage social commitment and communal support among people, so that they do not only look after their own interests.

In addressing the issue of health care financing, the government should evaluate the reasons for rapid and excessive expenditure growth, particularly the structure and resources of the Hospital Authority. Secondly, rather than focusing on the expenditure and development of the treatment process, the allocation of resources in health care services—from primary health care to rehabilitation after treatment—should be evaluated. Thirdly, the principle of social commitment and communal support should be implemented in public policy like health care reform.

1.7 Public Space

1.7.1 Lee Tung Street

The awareness of democratic participation in public space design and planning has been growing among Hong Kong citizens in the past few years though they are frustrated in the constitutional reform. The urban redevelopment of Lee Tung Street (well known Wedding Card Street around the world) has aroused the concern for preserving the architectural style of the 1950s and 1960s and social networks among residents and neighbourhood. Since the announcement of the Urban Renewal Authority (URA) on the redevelopment project of the street (namely H15), the residents and shop owners organized themselves and received support from district councilors, architects and lawyers to negotiate with URA. Countering the URA's plan, they initiated and submitted the first redevelopment proposal from the people in Hong Kong.



Safeguarding Lee Tung Street (a campaign against urban redevelopment) 2007/12/26

But their proposal was rejected by the Town Planning Board and the buildings in the street were demolished. Last Christmas, URA announced a plan to rebuild the street into a theme shopping centre, which amounts to a “conservation” proposal. Ms May Yip, who had lived in the street for several decades, decided to protest against the proposal in a hunger strike. She experienced the peace of Christ and the joy and sorrow in Christmas. Eventually Ms. Yip persisted for over 90 hours.

The Lee Tung Street issue reminds us that people should strike for democratic participation in public space and also against corporation domination over the public space.

1.7.2 West Kowloon Cultural District

The development of the West Kowloon Cultural District (WKCD) also has to do with democratic participation in the public space. The 40-hectare WKCD is designated for cultural and arts facilities, which should become part of the public life. The West Kowloon Cultural District Authority (WKCD Authority) will be established for the planning, construction and management of WKCD. As WKCD is a rare space for cultural and arts development, it will be the largest cultural and arts facility in Hong Kong. WKCD Authority is funded with HK\$21.6 billion. The management of WKCD will have enormous impact on both the land and the cultural development of Hong Kong. It could become a free and inclusive space for the public, regardless of class, ethnic and religious background, physical ability, age and identities (tourists, elderly, students, migrant workers, the homeless and marginalized). It should encourage freedom of expression and creativity from different arts and social groups.

The cultural vitality of Hong Kong comes from everyday life, and cultural development in WKCD should be connected and accessible to the local community so as to cultivate and sustain the cultural vitality of Hong Kong.

2. Programme Emphases

In the past year, CI has expressed a Christian voice in solidarity with human rights and migrant groups on issues concerning human rights and democracy in Hong Kong and Asia.

2.1 Democratic Development and Peace Movement

During the Green Paper on Constitutional Development consultation, HKCI has expressed our opinion on the Green Paper in LegCo and urged for universal suffrage in 2012. We also collaborated with other Christian groups to publish a pamphlet and organize a seminar on constitutional development. After the release of the report on consultation and the decision by the NPCSC on the universal suffrage, HKCI, other Christian groups and the Civil Human Rights Front (CHRF) promptly held press conferences and issued statements against the decision on 30 December 2007. A prayer gathering on the theme of “Striving for Democracy, Witnessing Our Faith” was organized by HKCI and other Christian groups; about 200 Christians joined and prayed for democracy in Hong Kong on 13 January 2008. CHRF organized a rally for “Universal Suffrage in 2012 Against Fake Democracy in 2017” and there were over 20,000 people joining the rally—more than unexpected.

2.2 Ecumenical Concerns

HKCI has been concerned about justice and peace issues within and without the territories. During the period, two prominent issues of



Interfaith Prayer Gathering for the Peace of Burma 2007/10/6

political killings in the Philippines and democratic movement in Burma, among others, were foci of concern.

To call for concern about peace, HKCI collaborated with a local church, the Kowloon Union Church, to organize a prayer gathering to commemorate the International Day of Prayer for Peace. CI also joined hands with local and regional groups in organizing activities for the International Anti-Torture Day.



Nyo Ohn Mint in Hong Kong 2008/8/7

During the period, HKCI joined the Hong Kong Campaign for the Advancement of Human Rights and Peace in the Philippines (HKCAHRPP) in advocacy works. HKCAHRPP commissioned a second fact-finding mission in October. This was a follow-up event to the first fact-finding mission held by the HKCAHRPP with other local and regional institutions in July 2006. After the second fact-finding mission in October, HKCAHRPP organized a press conference and released the mission report.

In September 2007, peaceful protests against the Burmese military government spread over the country. The protests were triggered by the increase of gas price in August, and 500 people demonstrated in Rangoon, the largest city of Burma. Sporadic protests over the countries grew into over 100,000 people strong protest led by the prestigious Buddhist monks from 23 to 25 September 2007. The protests were cracked down and the people, including monks, were arrested and detained since early September. Voices from both within and without the countries had urged the junta to have dialogue with Nobel Prize laureate Aung San Suu Kyi.

The Kowloon Union Church, R.A.W. (a youth group concerning peace), and HKCI had jointly organized a film show “Total Denial” about the

situation of Burma. A human rights worker and a Burmese student in Hong Kong were invited to share his experiences and reflect on the current situation in Burma respectively. Around 100 participants joined the show and showed their concern over Burma.

To express solidarity with the people and Buddhist monks and nuns in Burma, HKCI joined hands with Catholic and Buddhist groups to pray for the people. With mantra chanting, scripture readings, prayers, candle lights, hymns and sharings, Buddhist monks, Catholic and Protestant priests, and people of different faiths expressed their concern and blessings for the people in the Interfaith Prayer Gathering for Burma.

The Hong Kong Coalition for a Free Burma was formed by CI and local and regional human rights groups for the continuous concern for the human rights and democracy of Burma. The Coalition organized a public gathering for Burmese women in March and submitted a statement to the Myanmar Embassy. In May, when Cyclone Negris attacked Burma with a death toll of 135,000 and 2,400,000 people being affected and emergency relief efforts being delayed, the Coalition organized a candle-light vigil for the humanitarian crisis.

To commemorate the 1988 Student Democratic Movement, the Coalition invited the activist Nyo Ohn Mint to Hong Kong for seminars and meetings with human rights groups.

Sichuan was struck by earthquake just within a week after the cyclone in Burma. But the responses from the concerned governments and people of Hong Kong were different. The Chinese government was praised for its responsiveness and openness to media coverage whereas the Burmese government was criticized for its refusal to admit international relief agencies. Disaster relief is not just a matter of individual and charity efforts, but requires joint efforts from the society and the government. Also, relief is not just something done out of sympathy; it has to do with the right to life. Humanitarian relief should transcend the boundaries of nation, race, religion, class, sex and culture. Further, it is the universal

humanitarian value and global citizenship that lie behind the disaster relief and prevention efforts. The Chinese government, for instance, may urge the Burmese government to give permission for relief agencies to access the affected areas. This simple act could have saved tens of thousands of Burmese. As a major global and regional player, the Chinese government should take up its international responsibility.

To commemorate the 19th Anniversary of the June 4 incident, CI collaborated with Christian groups to organize a prayer gathering in May. The prayer gathering was also devoted to the earthquake victims and their families.

2.3 In Solidarity with the Marginalized

CI has joined various groups, particularly marginalized groups, in various actions and programmes to express our solidarity with them. We have coorganized “Colours in Peace for Racial Harmony” with YMCA Cheung Sha Wan Centre to address the issue of racial discrimination. A seminar-cum-workshop on the theme of “Who is My Neighbour? Church and Ethnic Minorities” was held to arouse the concern from the church on racial discrimination. We also launched a signature campaign on the racial discrimination legislation. On the issue of foreign domestic workers levy, HKCI and other Christian groups jointly held a press conference to uphold the migrants’ rights.

HKCI also has helped coordinate with different self-help groups such as that of new immigrant women and encourages them to raise their voices on the segregating policies. We have also joined various platforms like CHRF to address the issues concerning the oppression of police against sex workers and ethnic minorities.

2.4 The Second Ecumenical Summer Internship Programme

The Ecumenical movement has been one of our ministry concerns. HKCI has collaborated with the Hong Kong Christian Council (HKCC), the Hong Kong Women Christian Council (HKWCC) and the Hong

Kong Student Christian Movement (HKSCM) to organize the second Ecumenical Summer Internship Programme.

Eight students from two seminaries (Divinity School of Chung Chi College, Chinese University of Hong Kong [CCDS] and the Lutheran Theological Seminary [LTS]) were recruited for internship. They were assigned to address different issues like social policy, alternative economy and congregation, minority groups, youth, and human rights in different organizations. The interns participated in a series of theological talks, tutorials and visits to articulate the Christian faith in contexts.

In the year, CI was invited to join various ecumenical meetings. In February, I participated in the “Peace and Harmony in Asia: Interfaith Dialogue” Conference organized by the Association of Christian Institute of Social Concern in Asia (ACISCA) to discuss the practice of peace making from Buddhist, Hindu, Islamic and Christian perspectives. Ms Chan Yuk Fan, assistant project secretary for civil society education, joined the “Women’s Consultation 2008” held by ACISCA in Dhaka, Bangladesh in May.

2.5 HKCI’s 20th Anniversary

It has been twenty years since HKCI’s establishment. It is also time for its repositioning.

HKCI has been concerning about issues in Hong Kong and democratic movements in the mainland and around the world (particularly in Asia). It is HKCI’s objective to broaden the ecumenical horizons of Christians in Hong Kong so as to contribute to the society. After the handover, there have been increasing interactions between Hong Kong and the mainland, particularly in economic and social affairs. The context of Hong Kong is inevitably connected to that of the mainland China. We may need to address the issues in Hong Kong from a wider perspective. It does not mean that Hong Kong is no longer unique; rather, we need to make the most of the peculiar and strategic position of Hong Kong in the wider region.

Hong Kong is not just a city in China; it is a special administrative region under the Constitution of People's Republic of China. Hong Kong is not only a financial centre or an economic city; its colonial history, population, legal system and culture have cultivated a civil society which emphasizes freedom of speech, pluralism and inclusion, and has played a significant role in social affairs like Article 23 legislation and preservation of Queen's Pier. The civil society in the mainland still has room for growth. Besides maintaining its major role in global financial markets, Hong Kong can also accommodate civil and human rights movements. Contacts and coalitions with civil society groups can help build a robust global civil society.

In the meantime, HKCI may need to reconsider its role in Hong Kong's civil society and its position in the mainland and Asia, with a view to opening up a vital space for civil participation in the mainland.

Conclusion

I was appointed as acting director last September. I would like to express my gratitude to our committed staff members, volunteers, management committee members and partner groups in Hong Kong and from afar, without which HKCI could not have accomplished its tasks.

Jason Too Kin Wai



HKCI's staff (2007-2008)